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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/737,456

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Gregory Peter Davis

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Intellectual Property Law Dept.
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EXAMINER

SHORTLEDGE, THOMAS E

ART UNIT

PAPER NUMBER

2654

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/737,456

Applicant(s)

DAVIS ET AL.

Examiner

Thomas E. Shortledge

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/28/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-20 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-20, and 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Remarks/Arguments filed 11/28/2005.
2. Claims 1-13, 15-20, and 22-25 are pending in the application. Claims 1, 7, 12, and 19 are independent. Claims 1, 3, 7, 10, 12 and 19 have been amended. Claims 14 and 21 have been canceled.

Claim Objections

3. Claim 22 and 23 are objected to because of the following informalities: they are dependent on a canceled claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 7, 12, and 19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application

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was filed, had possession of the claimed invention. Claims 1, and 7 recite pseudo language characters graphically recognizable as both the first language and a second language having second language characters different from the first language characters, and claims 12 and 19 recite the pseudo character graphically recognizable as both the first language and a first language character and a second language character different from the first language characters. In a previous response dated, 7/12/2005, the applicant indicated four instances where support for the amendment was disclosed, however the examiner was unable to find support within those instances or anywhere else in the specification for the above amendment. Further, the examiner agrees the specification teaches pseudo language characters being graphically recognizable as English characters and the pseudo language characters. However, the specification does not disclose the pseudo language characters are graphically recognizable as a second language different from the first language, the second language characters not being the pseudo language. The applicant argues that element 18 of figure 1, teaches a pseudo language graphically characters recognizable as both a first language (English) and a second language having second language characters different from the first language characters. Element 18, does not show the characters are also graphically recognizable as foreign language characters, such as Chinese Characters, as the applicant argues on page 9, lines 10-12 of Remarks/Arguments. The characters displayed in element 18 are only graphically recognizable as English characters, and pseudo language characters. Therefore the pseudo language characters are not recognizable as first language characters (English) and second

language characters different from the first, and not being the pseudo language, as argued by the applicant.

Response to Amendment

5. The amendment filed 11/28/2005. is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: ...since the pseudo language characters 18 as shown in the figure are also graphically recognizable as Chinese characters. The pseudo language characters indicated by element 18 in figure 1 are recognizable as having English language characters. However, the pseudo language is not recognizable as being recognizable as Chinese characters. Element 18 does not depict the pseudo language being graphically recognizable as both a first language characters (English) and a second language characters (Chinese) different from the first language. The only second language characters found in Element 18 are pseudo language characters.

Applicant is required to cancel the new matter in the reply to this Office Action.

Response to Arguments

6. As to claims 1, 7, 12, and 19, applicant's arguments filed 11/28/2005 (Remarks/Arguments, page 9) have been fully considered but they are not persuasive. The applicants argue that U.S. Patent (6,185,729) do not teach the generation of pseudo language characters recognizable in both a first language having first language characters and a second language having second language characters different from the first language characters as amended in the claims, however, the examiner found the amendment to be new matter, as it was not disclosed within the specification, finding arguments pertaining to such an amendment to be not persuasive.

7. As to claims 2 and 8, applicant's arguments (Remarks/Arguments, page 10) have been fully considered but they are not persuasive. The applicant argues that U.S. Patent '729 does not teach pseudo language characters that re graphically similar to first language characters. However, the examiner argues U.S. Patent '729 teaches creating a pseudo language by mapping single-byte U.S. ASCII characters to a modified U.S. ASCII characters set accommodating multi-byte characters. Where these characters are used for ready identification of errors, based on visual distinction. Where the visual distinction is font, color or character spacing. Such distinction would allow the pseudo language characters to be graphically recognizable as the first language characters (col. 8, lines 1-15).

8. As to claims 3, applicant's arguments (Remarks/Arguments, page 10) have been fully considered but they are not persuasive. The applicant argues that the reference

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U.S. Patent '729 does not teach translating the first language characters into a pseudo language. However, U.S. Patent '729 teaches mapping a single byte language to it a created multibyte locale (col. 5, lines 60-64).

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-13, 15-20, and 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Watanabe et al. (6,185,729).

As to claims 1 and 7, Watanabe et al. teach:

An input device for generating first language character data wherein each language character is represented by a single byte (a keyboard available as an input device, input being a single byte language col. 9, lines 8-9, and col. 7, lines 46);

software for generating pseudo language character data in response to receiving said first language character data from said input device, wherein each pseudo

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language character is represented by a plurality of bytes, the pseudo language character data is graphically recognizable as both a first language having language characters and a second language having second language characters different from the first language characters (for the input data, creating a multi byte locale for a single byte language, (col. 8, lines 5-6), recognizable as both being the first language and the multi byte pseudo language characters, having characters that are visual distinct (col. 8, lines 5-12). Watanabe et al. do not explicitly teach a second language having second language characters different from the first language characters, however, this limitations has been rejected as new matter within the above 112 1st paragraph rejection);

inputting said pseudo language characters into said application, and displaying said pseudo language characters (using multi byte English local, the developer can immediately test for problems and correct the software before the software is released, col. 8, lines 45-49).

As to claims 2 and 8, Watanabe et al. teach said pseudo language characters are graphically similar to said first language characters so as to be recognizable in said stop of displaying (creating a multi byte locale for a single byte language, it is desirable to build in features which permit ready identification of errors, col. 8, lines 5-10).

As to claim 3, Watanabe et al. teach translating each of said first language characters into a corresponding one of said pseudo language characters (creating a

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multi byte language that represents a single byte U.S. ASCII character, col. 7, lines 67, and col. 8, lines 1-3).

As to claim 4 and 10, Watanabe et al. teach providing a lookup table such that said first language characters can be used to reference said pseudo language characters (language tables for mapping the single byte characters into multi byte characters, col. 5, lines 51-55, and 60-63).

As to claims 5 and 9, Watanabe et al. teach the first language is comprised of U.S. English characters (a U.S. ASCII English locale, col. 7, lines 54).

As to claims 6 and 11, Watanabe et al. teach said inputting further comprises utilizing a keyboard (a keyboard is also available as an input, col. 9, lines 9-10).

As to claim 12, Watanabe et al. teach:

a method for testing multibyte character data in an application (testing of the multi-byte functionality of a program, col. 7, lines 55-57);

inputting single byte data in a first language having first language characters (keyboard for inputting a single language, the language having English characters, col. 9, line 8, col. 7, line 52-55);

translating said single byte data into a pseudo character represented by a plurality of bytes in a pseudo language, the pseudo language graphically recognizable

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as both a first language character and a second language character different from the first language characters (for the input data, creating a multi byte locale for a single byte language, (col. 8, lines 5-6), recognizable as both being the first language and the multi byte pseudo language characters, having characters that are visual distinct (col. 8, lines 5-12). Watanabe et al. do not explicitly teach a second language having second language characters different from the first language characters, however, this limitations has been rejected as new matter within the above 112 1st paragraph rejection);

utilizing said pseudo character in said application (using the multibyte English locale to test for problems in the program, col. 8, lines 45-49).

As to claim 13, Watanabe et al. teach displaying said pseudo character using said application (display of multibyte character, col. 8, line 10).

As to claim 15, Watanabe et al. teach the first language comprises U.S. English (language is English, col. 8 lines 1-2).

As to claim 16, Watanabe et al. teach inputting a string of first language characters wherein each of said first language characters are representable with a single byte (first language is a single byte language, col. 7, lines 52-53).

As to claim 17, Watanabe et al. teach utilizing a keyboard for said step of inputting, (keyboard for input, col. 9, lines 9-10).

As to claim 18, Watanabe et al. teach providing a lookup table such that said first language characters can be used to reference said pseudo language characters (language tables for mapping the single byte characters into multi byte characters, col. 5, lines 51-55, and 60-63).

As to claim 19, Watanabe et al. teach:

a program storage device embodying a program of instructions executable by the machine to perform a method for testing a multibyte character data in an application (program information for controlling the computer to enable the computer to perform its testing and development function in accordance with the invention, (col. 9, lines 30-34).

inputting single byte data in a first language having first language characters (keyboard for inputting a single language, the language having English characters, col. 9, line 8, col. 7, line 52-55);

translating said single byte data into a pseudo character represented by a plurality of bytes in a pseudo language, the pseudo character graphically recognizable as both the first language character and a second language character different from the first language characters (for the input data, creating a multi byte locale for a single byte language, (col. 8, lines 5-6), recognizable as both being the first language and the multi byte pseudo language characters, having characters that are visual distinct (col. 8, lines

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5-12). Watanabe et al. do not explicitly teach a second language having second language characters different from the first language characters, however, this limitations has been rejected as new matter within the above 112 1st paragraph rejection); and

utilizing said pseudo character in said application (using the multibyte English locale to test for problems in the program, col. 8, lines 45-49).

As to claim 20, Watanabe et al. teach displaying said pseudo character using said application (display of multibyte character, col. 8, line 10).

As to claim 22, Watanabe et al. teach the first language comprises U.S. English (language is English, col. 8 lines 1-2).

As to claim 23, Watanabe et al. teach inputting a string of first language characters wherein each of said first language characters are representable with a single byte (first language is a single byte language, col. 7, lines 52-53).

As to claim 24, Watanabe et al. teach utilizing a keyboard for said step of inputting, (keyboard for input, col. 9, lines 9-10).

As to claim 25, Watanabe et al. teach providing a lookup table such that said first language characters can be used to reference said pseudo language characters

(language tables for mapping the single byte characters into multi byte characters, col. 5, lines 51-55, and 60-63).

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas E. Shortledge whose telephone number is (571)272-7612. The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TS
12/21/2005

Vijay Chawan
VIJAY CHAWAN
PRIMARY EXAMINER